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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/809,958

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Bill Serra

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HEWLETT PACKARD COMPANY  
P O BOX 272400, 3404 E. HARMONY ROAD  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

WONG, WILLIAM

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/809,958	Applicant(s) SERRA ET AL.	
	Examiner William Wong	Art Unit 2178	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/28/2007</u>  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This action is in response to the communication filed on April 13, 2007.

- Claims 9-12 have been amended.
- Claims 1-12 are pending and have been examined.

Previous objections and rejections not included in this office action have been withdrawn.

#### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted was filed on 02/28/2007.

The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 9-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. On page 6 of the specification, it states that computer readable media includes "transmission media such as digital, analog, and wireless communication links". Such media would include electromagnetic waves or signals (i.e. energy), which constitutes nonstatutory matter.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-6, 8-10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crain (US 4,962,473) in view of Monroe et al. (US 2002/0097322).

Claim 1

As per claim 1, Crain teaches a **monitoring system comprising: a plurality of sensor elements for distribution at a location** (in abstract, "... A first subdivision is a security and control subsystem which operates to monitor and control sensors and actuators associated with an intrusion detection system" in view of figure 2), **a plurality of cameras for capturing video data of the location** (in column 6 lines 12-20, "As seen from FIG. 2, the video switch and control circuit 39 which is associated with the environment and security processor 35 accepts input from video sources such as surveillance cameras, video tape recorders, computer generated displays and other video sources. As one can understand, in a large facility which is being monitored there may be video cameras distributed throughout the facility" in view of figure 2 and in abstract), **a display unit for displaying a graphical representation of a network of the sensor elements throughout the**

**location and a video stream from any one of the cameras** (in column 12 lines 21-30 in view of figures 2 and 4, and in column 5 lines 34-39), **a navigation unit for navigating through the network of sensor elements** displayed by the display unit (in column 11 lines 24-28 and in column 17 lines 46-51 in view of figure 11), **and a processing unit for selecting one of the cameras as the source of the video stream** (in column 6 lines 50-57, "... The control and switching of the surveillance video is centralized and completely under the control of the ESP 35 [or environment and security processor] to improve security and to simplify manual operations in the event of computer failure" in view of column 12 lines 24-27, "This includes switches to select specific views and camera controls 75 which switches or controls are mounted beneath the display 64"), but Crain does not specifically teach selecting one of the cameras as the source of the video stream **based on a current navigation position in the network of sensor elements**.

However, Monroe teaches the above limitation (in paragraphs 19, 21, 22, and 25 on page 2 in view of figure 3, the user navigates the network of sensors through a map and upon selecting a particular sensor/navigation position among the network of sensors, the associated video stream will be displayed). It would have been obvious to one of ordinary skill in the art to modify the system of Crain to include the video display based on a current navigation position of Monroe to allow the user to quickly and easily select a particular camera to view and relate its position in the location that is being monitored, thereby enhancing the surveillance capability of the user.

Claim 2

As per claim 2, the rejection of claim 1 is incorporated and Crain further teaches **a plurality of actuator elements for distribution at the location** (in abstract, "... A first subdivision is a security and control subsystem which operates to monitor and control sensors and actuators associated with an intrusion detection system" in view of figure 2), **the display unit displaying a graphical representation of a network of the sensor and actuator elements** (in column 18 lines 63-68 and column 19 lines 1-3), **the navigation unit enabling navigation through the network of sensor and actuator elements** (in column 11 lines 24-28, "As indicated above, the display 63 interfaces with the user interface computer 66 and allows the use of the window control pad 82, the mouse 68, the text numeric keyboard 69 and the dialing function select pad 90" and in column 17 lines 46-51 in view of figure 11), **and a control unit for controlling the actuator elements through user input in response to information obtained from the graphical representation and the video stream** (in column 8 lines 18-21, Craine uses a control unit, graphical representation and surveillance video in conjunction to access and control his system, allowing the user to control actuators through user input methods disclosed in column 17 lines 46-51 and in column 9 lines 14-18).

Claim 4

Art Unit: 2178

As per claim 4, the rejection of claim 1 is incorporated and Crain further teaches **the control unit updating configuration data associated with the network of sensors and actuators in response to the user input** (in column 17 lines 46-51 in view of figures 11 and 5b, the user is able to enable, disable, or test sensors and actuators, which inherently requires updating configuration data associated with them).

Claims 5, 6, and 8

Claims 5, 6, and 8 are the method claims corresponding to the system claims 1, 2, and 4 respectively, and are rejected under the same reasons set forth in connection with the rejection of claims 1, 2, and 4.

Claims 9, 10, and 12

Claims 9, 10, and 12 are the computer readable medium claims corresponding to the system claims 1, 2, and 4 respectively, and are rejected under the same reasons set forth in connection with the rejection of claims 1, 2, and 4.

5. Claims 3, 7, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crain (US 4,962,473) in view of Monroe et al. (US 2002/0097322). as applied to claim 1 above, and further in view of Jacoby (US 5768552).

Claim 3

As per claim 3, Crain and Monroe teach the monitoring system of claim 1 (see rejection of claim 1) and Crain further teaches **the processing unit overlaying an**

**element over the video stream** (in column 6 lines 9-12, for example, adding a title), but does not specifically teach a **frame boundary corresponding to a displayed frame of a graphical representation**. However, Jacoby teaches the above limitation (in column 8 lines 51-64; a rectangle corresponding to a displayed frame is overlaid on another view). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Crain and Monroe to include the frame boundary element of Jacoby to provide the user with an indication of the contextual relationship between different views, where one view contains the other.

Claim 7

Claim 7 is the method claim corresponding to the system claim 3, and is rejected under the same reasons set forth in connection with the rejection of claim 3.

Claim 11

Claim 11 is the computer readable medium claim corresponding to the system claim 3, and is rejected under the same reasons set forth in connection with the rejection of claim 3.

***Response to Arguments***

6. Applicant's arguments filed 04/13/2007 have been fully considered but they are not persuasive.



7. Applicant amended claims 9-12 to recite a "computer readable medium" to overcome rejection under 35 U.S.C. 101. However, page 6 of the specification states that the computer readable medium includes transmission medium such as digital, analog, and wireless communication links, in other words, electromagnetic signals, which are not statutory. As such, the claims remain rejected under 35 U.S.C. 101. It is suggested that applicant replace "computer readable media" with "machine readable storage media", which is also discussed on page 6 of the specification.

8. Applicant argues in substance that Crain, Monroe, and Jacoby, individually and combined, do not specifically teach "navigating through a displayed network of sensor elements, selecting one of the cameras at the location as the source of a video stream based on a current navigation position in the network of sensor elements and displaying the video stream". However, examiner respectfully disagrees.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's arguments against the combined references, Crain teaches displaying a map of a network of sensors throughout a location, but does not specifically teach selecting one of the cameras as the source of the video stream based on a current navigation position in the network of sensor elements. Instead, as noted by applicant, the selection of the video stream source is operated through camera view

Art Unit: 2178

selection switches. However, Monroe teaches the feature that "When a user wishes to view an area of the facility [i.e. display the video stream], the user identifies the camera that provides a view of that area of the facility [through a map of the facility], and selects the identified camera by double clicking on the associated camera icon in the map of the facility" (noted by applicant). Applicant argues that "merely positioning a cursor over the associated camera icon does not result in the display of the video stream generated by the identified camera in the video window", but "a current navigation position" does not necessitate that limitation. Furthermore, that limitation is not claimed or described in the specification. In order for the user to double click an icon, the cursor must be placed over the icon, making that the current navigation position. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, one of ordinary skill in the art at the time of invention would have immediately seen the benefit of modifying the system of Crain to include the video display based on a current navigation position of Monroe. By integrating the selection of video method of Monroe into the map and video display of Crain, it would allow the user to quickly and easily select a particular camera to view and relate its position in the location that is being monitored, thereby enhancing the surveillance capability of the

Art Unit: 2178

user. As such, the combination of references teaches the claimed invention, and the rejection stands.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Wong whose telephone number is 571-270-1399. The examiner can normally be reached on M-F 7:30-5:00 EST with every other Friday 7:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William Wong/

  
**STEPHEN HONG**  
**SUPERVISORY PATENT EXAMINER**